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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/867,180	05/29/2001	Toshihito Terada	01320/LH	6791

1933 7590 08/26/2004

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NEW YORK, NY 10017-2023

EXAMINER

BURGESS, BARBARA N

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 08/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/867,180

Applicant(s)

TERADA ET AL.

Examiner

Barbara N Burgess

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) ✓
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Teper et al (hereinafter, "Teper", 5,815,665)

As per claims 1, 5, 6, 8, 9, 10, 11, 15 and 16, discloses a method, service information and an article of manufacture for responding access which a service provider site providing contents via a communication network transmits, when an access request is made from a requesting terminal, contents of the service provider site to the requesting terminal response to the access request, the method comprising:

- determining whether the access request made via a specific provider site (col. 2, lines 45-47, col. 3, lines 20-25, col. 4, lines 17-21, col. 5, lines 33-37, col. 6, lines 50-53, col. 7, lines 35-37 and 47-50);
- changing a part of the contents to be transmitted to the requesting terminal to predetermined information corresponding to request is made via the specific site when the access request is made via the specific site (col. 3, lines 65-67, col. 4, lines 1-15, lines 43-46, col. 5, lines 49-55, col. 6, lines 50-60); and
- transmitting the contents including predetermined information the requesting terminal (col. 9, lines 9-20).

As claim 2, Teper discloses:

- wherein said specific site is a site affiliated with the service provider site (col. 2, lines 45-47, col. 3, lines 20-25, col. 4, lines 17-21, col. 5, lines 33-37, col. 6, lines 50-53, col. 7, lines 35-37 and 47-50).

As per claim 3, Teper discloses: wherein said determining comprising:

- determining whether or not the access request includes an identifier of the specific site (col. 3, lines 20-25, col. 4, lines 15-20, col. 8, lines 54-58); and
- determining that the access request is made via the specific site when the identifier is included in access request (col. 3, lines 20-25, col. 4, lines 15-20, col. 8, lines 54-58).

As per claim 4, Teper further discloses:

- accumulating a service usage time the service provider site when the access request is made via the specific site (col. 3, lines 32-45 and col. 4, lines 30-40); and
- determining a charge based on the accumulated service usage time every predetermined period of time and conducting a charging procedure an enterprise of specific site (col. 11, lines 46-50).

As per claim 7, Teper discloses wherein said predetermined processing is a processing for preparing:

- an electronic mail in response to the response information and transmitting the mail via the communication network to another terminal which different from the user terminal, the mail being transmitted to a terminal belonging to the

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specific site when the response information transmitted from specific site and to a terminal belonging the service provider site when the response information is not transmitted from the specific site (col. 10, lines 45-60 and col. 11, lines 35-45).

As per claim 12, Teper discloses:

- wherein the request is transmitted from user of the affiliated provider includes an identifier indicating that user is a member of the affiliated provider and it is determined whether the user is a member of the service provider based on whether the request includes the identifier (col. 3, lines 20-25, col. 4, lines 15-20, col. 8, lines 54-58).

As per claim 13, Teper discloses:

- wherein modified home page is created by changing the identification of the service provider included in the original home page to an identification of the affiliated provider based on the identifier site (col. 2, lines 45-47, col. 3, lines 20-25, col. 4, lines 17-21, col. 5, lines 33-37, col. 6, lines 50-53, col. 7, lines 35-37 and 47-50).

As per claim 14, Teper further discloses:

- charging the user when the user the member and charging affiliated provider when the user is the member of the affiliated provider (col. 3, lines 32-45 and col. 4, lines 30-40).

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,615,251 B1 to Klug et al

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barbara N Burgess whose telephone number is (703) 305-3366. The examiner can normally be reached on M-F (8:00am-4:00pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Ettinene can be reached on (703) 308-7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barbara N Burgess
Examiner
Art Unit 2157

BB
August 22, 2004


SALEH NAJJAR
PRIMARY EXAMINER